IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 19892 of 1998

Between:

M/S. Teja Offset Printers, Rep. by its Proprietor Mr.T.Ajay Babu,
318/3RT, Andhra Bank Lane, Sanjeeva Reddy Nagar,
Hyderabad-- 500 038.

... PETITIONER

AND

Small Industries Development Bank of india, Rep. by its General Manager,
5-9-89/1 & 2, Chapel Road, III Floor, Post Box No.130,
Hyderabad-500 001

...RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus, declaring the action of the respondent in prematurely recalling the loan of the petitioner by letter No. SIDBI (H) 1064, dt: 17-6-98 as illegal, unconstitutional, after declaring Section 38 of the Small Industries Development Bank of India Act, 1989 as arbitrary, illegal and unconstitutional.

Counsel for the Petitioner: Mr. Mrutyunjaya, Advocate for MR.PRABHAKAR SRIPADA

Counsel for the Respondents: MR.Y.NEELA LOHITHA

The Court, at the admission stage, made the following:

ORDER:

Mr. Mrutyunjaya representing learned counsel for the petitioner Mr. Prabhakar Sripada submits that the writ petition has become infructuous.

Recording the submission made by the learned counsel, the writ petition is dismissed as infructuous. No costs.

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A. **GOPAL REDDY, J**

November 2, 2004

MRR

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. Small Industries Development Bank of india, Rep. by its General Manager, 5-9-89/1 & 2, Chapel Road, III Floor, Post Box No.130, Hyderabad-500 001.

2. Two C.D. Copies.